

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

POLYMER GROUP, INC.,)
PGI POLYMER, INC. and)
CHICOPEE, INC.)
Plaintiffs,) Civil Action No. 3:10-CV-288
)
v.)
)
MAGLA PRODUCTS LLC and,)
THE KROGER CO.)
Defendants.)
)
)
)
)

FINAL JUDGMENT

Pursuant to the Joint Motion For Entry of Final Judgment by Plaintiffs Polymer Group, Inc., PGI Polymer, Inc. and Chicopee, Inc. (collectively “PGI”) and Defendant Magla Products LLC (“Magla”),

IT IS HEREBY ORDERED that

1. For the purposes of this Order, the term “Wavy Line Trademark” means the wavy line design mark for non-woven textile fabrics, synthetic fibers and combinations thereof, as reflected in United States Trademark Registration No. 1,175,550.
2. For the purposes of this Order, the term “Accused Design” means a wavy line design as set forth in PGI’s Complaint (Docket No. 1), Paragraph 18, examples of which are shown in Exhibits C and D of PGI’s Complaint.
3. Magla and each person, shareholder, director, officer, member, owner, corporation, company, partnership, or other entity which controls, is controlled by, or is under common control with it, is enjoined from selling any product bearing the Wavy Line Trademark, the Accused Design, or any other design that is confusingly similar to the Wavy Line Trademark.

4. This Court retains exclusive jurisdiction over this action for the purpose of enforcing compliance with this judgment and the Confidential Settlement Agreement and Mutual Release entered into by PGI and Magla with an effective date of January 24, 2012.

5. No appeal shall be taken by any party from this Final Judgment, the right to appeal being expressly waived by all parties.

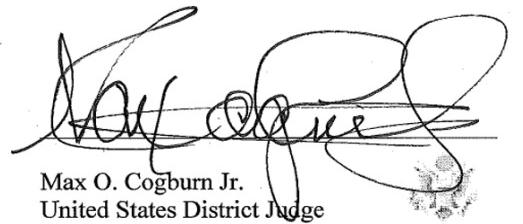
6. This Final Judgment shall finally conclude and dispose of all claims and counterclaims between PGI and Magla with prejudice.

7. Final judgment shall be entered pursuant hereto, forthwith, and without further notice. PGI and Magla shall each bear its own costs and attorneys' fees.

8. This Judgment does not apply to Plaintiffs' claims against Defendant The Kroger Co or the counterclaims of The Kroger Co.

SO ORDERED.

Signed: February 3, 2012



The image shows a handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". Below the signature, there is a small, faint, illegible stamp or mark.

Max O. Cogburn Jr.
United States District Judge